

1964

## CONGRESSIONAL RECORD — APPENDIX

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senators or representatives to pass a measure through the more accurately representative house of the State legislature."<sup>28</sup> This would mean that 38 percent of the 40 percent of the American population could propose and ratify a constitutional amendment. Instead of a method of protecting the minority, as under our present Constitution, we would have government by the minority.

<sup>1</sup> Partner, Waterman, Jaffy, Van Heyde & Taylor, Attorneys, Columbus, Ohio; president, Columbus Chapter, Federal Bar Association.

<sup>2</sup> 369 U.S. 186 (1962).

<sup>3</sup> Abram, "A New Civil Right," 52 Nat. Civic Review 186 (April 1963).

<sup>4</sup> The Supreme Court heard the cases in the first four States during the weeks of Nov. 11 and 18. The Delaware case is scheduled for hearing on Dec. 9, 1963.

<sup>5</sup> Arkansas, Idaho, Kansas, Missouri, Montana, Nevada, Oklahoma, South Dakota, Utah, Washington, Wyoming, and Texas. In addition, it has passed one house in Colorado, New Mexico, Illinois, Oregon, New Jersey, and South Carolina.

<sup>6</sup> Florida, Arkansas, Idaho, Illinois, Kansas, Oklahoma, Wyoming, New Hampshire, South Dakota, Texas, and Missouri.

<sup>7</sup> Alabama, Arkansas, Florida, Louisiana, Wyoming.

<sup>8</sup> Address of Mr. Chief Justice Warren at the dedication of the new law building at Duke University, April 27, 1963.

<sup>9</sup> The Washington Post; New York Times; the Toledo Blade; all dated June 3, 1963.

<sup>10</sup> Ohio Senate Joint Resolution 13 and House Joint Resolution 44, respectively.

<sup>11</sup> The new resolution called for a constitutional convention to consider (1) a clearer delineation between Federal and State jurisdictions; (2) resolving the competition between Federal and State Governments for tax sources; (3) apportionment of representation in the State legislature; (4) electoral college reforms.

<sup>12</sup> Black, "The Proposed Amendment of Article V: A Threatened Disaster," 72 Yale L.J. 957 (April 1963).

See also, Black, "Proposed Constitutional Amendments: They would return us to Confederacy," 49 A.B.A.J. 637.

<sup>13</sup> May 8, 1963.

<sup>14</sup> May 4, 1963.

<sup>15</sup> CONGRESSIONAL RECORD 8262, May 15, 1963.

<sup>16</sup> May 8, 1963.

<sup>17</sup> June 4, 1963.

<sup>18</sup> Black, supra note 10. See also, Shanahan, "Proposed Constitutional Amendments: They Will Strengthen Federal-State Relations," 49 A.B.A.J. 631 at 633.

<sup>19</sup> Moss v. Burkhardt, 207 F. Supp. 885 (1962).

<sup>20</sup> U.S. v. Saylor, 322 U.S. 385.

<sup>21</sup> U.S. v. Classic, 313 U.S. 299.

<sup>22</sup> Black, supra note 10.

<sup>23</sup> Id.

### Housing's Friend on the Hill

#### EXTENSION OF REMARKS

#### HON. EUGENE J. KEOGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1964

Mr. KEOGH. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following editorial which appeared in the New York Times of Sunday, February 16, 1964, with reference to the announced retirement from Congress of our distinguished and beloved colleague, Representative ALBERT RAINS, of Alabama. As the editorial

points out, the Congress can ill afford to lose a legislator of Mr. RAINS' experience, ability, and integrity. It is to be hoped that he will reconsider his decision.

The editorial follows.

#### HOUSING'S FRIEND ON THE HILL

The announcement by Representative ALBERT RAINS, of Alabama, that he intends to retire from Congress at the end of this session can be greeted only with a hope that the decision is not irrevocable.

First-rate legislators are a commodity eternally in short supply, but the prospective loss of Mr. RAINS, still full of vigor, wit, and industry at 61, promises to be particularly damaging.

Housing legislation has been his interest, and will be his monument. Every housing bill enacted since 1955—and there have been seven of major proportions—bears the stamp of his political skill and of a mind that combines political and economic liberalism with keen practicality in matters of business and finance.

It is commonly said in the House cloak-rooms that Mr. RAINS' sponsorship of a bill will automatically create 20 additional votes for it. Those 20 votes have often proved crucial. They will be even more needed in the future as housing legislation of all kinds becomes more inextricably bound up with all the complex and emotional issues of integration. Mr. RAINS still has an important job to do for the Nation.

### Hawaii's Teacher of the Year

#### EXTENSION OF REMARKS

OF

#### HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1964

Mr. MATSUNAGA. Mr. Speaker, there are instances in which the unselfish, dedicated schoolteachers who inspire our youth to study hard and to make something of themselves deserve special recognition for the services which they render to our country.

One such teacher is Kiyoshi Yabui, of Kahului, Maui, Hawaii, who has for the past 18 years devoted his free time to aiding students in need of assistance. We can be truly grateful for men like Mr. Yabui who help to make America great.

Mr. Yabui's story is told in the following article from the Sunday Star-Bulletin and Advertiser for February 16, 1964:

#### STUDENTS OCCUPY TEACHER'S OFF-DUTY TIME (By Robert Johnson)

KAHULUI, MAUI.—Kiyoshi Yabui, a shy, round-shaped, unmarried man of 44, is a teacher.

He teaches regular seventh and eighth grade classes at Kahului School, where he has taught for about 18 years.

But after regular school hours, he stays on to teach and counsel students until 5 p.m. or so every schoolday.

And every school night from 7 to 9:30 or 10 p.m. his classroom is ablaze with lights and full of boys and girls. He helps them with their homework.

And every weekend, when he drives to Lahaina to visit his mother, his car also carries up to half a dozen students.

During the summers he provides a one-man, voluntary 6-week summer school in

English and mathematics, open to any who want to come, up to 40 students.

And when he isn't teaching school or visiting his family's beach home in Lahaina, he's available to anyone who knows him for piano and ukulele lessons. He doesn't charge for the lessons.

He's been doing most of these things during the 18 years he's been at Kahului School.

For most of those years Yabui's work has gone without much public notice. But this year public recognition has come to him.

Yabui was selected last November from among 5,000 Hawaii public school teachers as Hawaii's "Teacher of the Year."

The selection was announced in January by the department of education. But it didn't receive much notice. So a group of Maui men and women, mostly parents of children who have received his help, have banded together to do him honor.

A testimonial luau will be held at 6 p.m., Saturday, at the Kahului School cafeteria. Toru Suzuki is chairman.

Last week Yabui was asked to explain why he gives to much of his time to what most people consider work, without being paid beyond his teacher's salary. He said it just sort of happened. And he's kept it up because "I'm single. I have the time, others have their own families."

How did it get started? Said Yabui: "The kids asked me."

He explained that it began in Makawao "when I first came out to teach, more than 20 years ago." It began, he said, because he liked music, and in the beginning, he explained, he learned from the kids.

"In Makawao the kids liked music and they always came with their guitars and doublebass. It was through them that I really learned to play the piano."

Then, more than 15 years ago at Kahului, "a group of kids asked me if they could learn the ukulele. I couldn't play it myself. I said let's learn together. We met once a week and had somebody come to teach us. After a year or so, I started teaching it to my home classes."

The voluntary after duty hours and night classes started the same way, about the same time, with a group of kids. "They asked me if I could come at night to help them. I said OK. It was two or three kids, but others wanted to come."

"It just kept growing until some nights I had as many as three classrooms full, more than I could manage, and I had to set a limit."

Today, his limit is one room full. His principal, Wallace Tanaka said, "He has sort of a waiting list. He cannot take all who want to come. He has permission to use his classroom for these activities. There's never been any trouble." It was Tanaka who first nominated him for teacher of the year.

Yabui said, "A lot of kids actually cannot study at home. Some say the problem is TV. Others say it's their younger brothers and sisters. They bring their homework here in the evenings. If there is anything I can help them with, I do it."

"Parents hear about it and bring their kids from other schools, who need help. It's hard to turn any away."

He explained why he takes no money for his music lessons: "I picked it up myself, learned it myself. It didn't cost me money, so I couldn't very well ask people to pay me. Music is a release, it's something I enjoy."

Yabui's Kahului School classroom is equipped with an upright piano and more than the ordinary collection of books.

"In the course of 20 years or so," he said, "I've accumulated reference books and other material the kids can use. And I make contacts for them with people who might have stuff I don't have."

What is the greatest need of his students?

"You'd be surprised. It isn't math. The biggest deficiency in our children is in English—grammar and literature. Summers, I require them to do one book report a week. We hope 1 in 20 will get the reading habit."

Yabul keeps what he calls his philosophy of education neatly typed on a small rectangle of paper under the glass top of his desk. He pointed out that the statement was composed by someone else, but that he lifted it from an education pamphlet because he feels it states his philosophy as well as he could himself. It reads:

"There is only one thing worse than the smugness and prejudice of the ignorant and that is the smugness and prejudice of the 'educated.' Education that does not engender a sense of humility in the student, that does not make him appallingly aware of how much there is to know, is not true education, it is simply mental calisthenics."

"From education students should acquire enough knowledge so that they need not look up to others with envy, enough wisdom so that they will not look down on others with disdain."

## Hoax Brought Diem Downfall

### EXTENSION OF REMARKS

OF

## HON. W. J. BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1964

Mr. DORN, Mr. Speaker, Senator Thomas J. Dodd, of Connecticut, has earned the admiration and gratitude of the American people for his outstanding efforts in exposing the sinister, subversive, and unbelievable schemes and machinations of the Communist conspiracy in this country and throughout the world.

Mr. Speaker, I commend to the attention of the Congress the following Associated Press story which appeared in The State, a great South Carolina daily, published in our capital city of Columbia:

CITES U.N. FACTFINDING COMMISSION—SENATOR CHARGES PRESS AIDED HOAX IN DIEM DOWNFALL

WASHINGTON.—Senator THOMAS J. DODD, Democrat, of Connecticut, charged Sunday that a hoax for which he blamed some of the press brought the downfall of the Ngo Dinh Diem regime in South Vietnam.

He criticized no newspaper by name.

Dodd made the accusations in a letter appended to a Senate-financed reprint of a 324-page report released last December 9 by a United Nations Factfinding Commission which had visited Vietnam.

#### UPON REQUEST

The reprint was made at Dodd's request as an official Senate Internal Security Subcommittee document "for the information of Senators," Dodd said in a statement. He said he made the request because he believes the report was "virtually ignored by the press for more than 2 weeks after its release date until some enterprising commentators got hold of the story."

Noting that the U.N. factfinders made no formal findings on their study of allegations of serious violation of human rights by the Diem regime including persecution of Buddhists, Dodd declared: "I believe that any objective person would have to conclude from reading it that the accounts of massive persecution of the Buddhist religion were,

at the best, vastly exaggerated, and at the worst, a sordid propaganda fraud."

#### DOUBTS

The Diem government was toppled last November 1, and Diem and Ngo Dinh Nhu, his strongman brother-in-law, were slain.

Dodd said that "some of the testimony presented in the report raises doubts about the authenticity and the spontaneity of suicides" by Buddhists who burned themselves to death in Saigon streets in protest against alleged persecution by the Diem government.

Dodd said the factfinders did not report on political motives but that he believes Communist propaganda was behind many of the atrocity stories.

He said the report quoted a 19-year-old Buddhist monk as stating that he had been talked into agreeing to burn himself to death with stories of atrocities and promises that he would be given pain-killing drugs. He said the youth was prevented by the police from setting himself ablaze.

#### DEAD OR ALIVE

Dodd said the mission told also of interviewing a number of Buddhists who had been reported killed, and that the mission "could find no evidence to substantiate published reports in the press that Buddhist monks had been thrown from upper stories during the raid on the Xa Loi pagoda."

"What all this adds up to, in my opinion," Dodd wrote, "is that the American people have once again been grievously misinformed by some of their newspapers on a foreign situation that vitally concerns them."

Dodd said that "important American newspapers" during World War II pictured the Yugoslav partisan Mihalovitch as a collaborator with the Nazis, and portrayed Tito as a hero, and, "The result was the betrayal of Mihalovitch and the installation of a Communist regime."

#### A CROOK

He said that some of these papers reported that China's Chiang Kai-shek "was a crook and the Chinese Communists were agrarian reformers and the result was a confusion of policy that led to the installation of a Communist regime in China."

Dodd said "there were papers" which contended that Cuba's Fidel Castro was "not a Communist but a cross between Robin Hood and Thomas Jefferson; and the result was a Communist regime in Cuba."

#### ANOTHER HOAX

"Now we have been the victim of still another hoax, in consequence of which the government of Ngo Dinh Diem has been destroyed and a chaotic situation has been created that will make a Communist takeover more difficult to resist," he wrote.

## Estonian Independence Day

### EXTENSION OF REMARKS

OF

## HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 17, 1964

Mr. TAFT. Mr. Speaker, on the occasion of the 46th anniversary of the Declaration of Independence of the Republic of Estonia, I pause with others in the free world to recognize this day.

For almost a quarter of a century the peoples of this nation have been under Communist rule. During this time nothing has changed with regard to the denial of fundamental right of people to choose their government. The right of

freedom of speech is still as foreign as the freedom of political gathering.

Today there are few ways the people of this Republic can demonstrate their attitude toward the one party political regime, but the increasing number of qualified voters who are abstaining from exercising their rights is a most noticeable one.

The existence of the people in the homeland is not an easy one but their hope for a brighter future rests in the hearts of relatives and friends in the free world. The cause of all of the captive European nations is one in which freedom loving people the world over continue to encourage. I commend all of those people who continuously dedicate their efforts that others may live in peace and freedom.

### LAWS RELATIVE TO THE PRINTING OF DOCUMENTS

Either House may order the printing of a document not already provided for by law, but only when the same shall be accompanied by an estimate from the Public Printer as to the probable cost thereof. Any executive department, bureau, board or independent office of the Government submitting reports or documents in response to inquiries from Congress shall submit therewith an estimate of the probable cost of printing the usual number. Nothing in this section relating to estimates shall apply to reports or documents not exceeding 50 pages (U.S. Code, title 44, sec. 140, p. 1938).

Resolutions for printing extra copies, when presented to either House, shall be referred immediately to the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate, who, in making their report, shall give the probable cost of the proposed printing upon the estimate of the Public Printer, and no extra copies shall be printed before such committee has reported (U.S. Code, title 44, sec. 133, p. 1937).

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### RECORD OFFICE AT THE CAPITOL

An office for the CONGRESSIONAL RECORD, with Mr. Raymond F. Noyes in charge, is located in room H-112, House wing, where orders will be received for subscriptions to the Record at \$1.50 per month or for single copies at 1 cent for eight pages (minimum charge of 3 cents). Also, orders from Members of Congress to purchase reprints from the Record should be processed through this office.